

MINUTES
MOUNT VERNON PLANNING AND ZONING COMMISSION
October 14, 2015

The Mount Vernon Planning and Zoning Commission met October 14, 2015 at Mount Vernon City Hall Council Chambers with the following members present: Truman Jordan, Rich Hileman, Jenna Wischmeyer, Trude Elliott, and Matthew Nelson. Absent: Joan Burge and Richard Peterson. Also in attendance, Zoning Administrator, Matt Siders, Ed Sauter, Mayor James Moore and Council member Marianne Taylor. Meeting was called to order by Chairperson Truman Jordan at 6:32 p.m.

1. Approval of Agenda and September 9, 2015 minutes. These documents stand approved unless otherwise indicated by Commission members.
2. Open Forum: each citizen limited to 5 minutes per discussion item.
3. Discussion regarding existing Commercial Design Standards. Zoning Administrator, Matt Siders, said that during the Open Forum of the last meeting there was an individual that had concerns about the Commercial Design Standards and how it affected the sale of their property. Ed Sauter explained that he was part of the committee that was responsible for the development of the guidelines. The premise behind why these guidelines were developed was to address dark sky issues, pedestrian friendly environments (sidewalks) and the design standards of the buildings. The main concerns were the entrances to Mount Vernon and the main avenues. Residential is excluded from this and it just deals with commercial, light industrial and retail. One of the things is the appearance of the building, especially if a “big box store” were to come in to Mount Vernon. There are provisions that they have to make their building look like it isn’t a “big box”. The standards have material suggestions that are compatible with what is already seen in town. Sauter went on to say that while the committee envisioned the corridors and new developments to the south, the entrances to the City along Hwy 1, Hwy 30 and old Hwy 30 were also part of the thought process as they discussed what they would like people to see as they come into Mount Vernon.

Siders said that the information he received about the particular property in question was that the potential buyer would have left the existing building, taken out the other outbuildings and constructed two new buildings, one a machine shed and the other a pole barn for storing tractors. The use would also change from commercial to a personal use. Siders said there was no real site plan submitted, it was only discussions that took place and he explained some of the things that would need to change if it was purchased, based on the use that the new owner intended. Sauter said it was difficult to talk specifics when there was no actual plan submitted. Siders explained a few of the areas in the design standards that were of concern to the potential buyer and said that after discussing those things with them, they went back to the seller and said there was no way they could buy it because of the cost associated with the changes required by the City. Elliott asked if there was ever any thought given to having

compliance done on an incremental basis so that there is somewhat of a compromise. Wischmeyer said that her understanding of the issues from the seller's standpoint was that by the City implementing these guidelines, it was making their property very unlikely to sell. Sauter said that if someone purchases a property, they don't have to abide by the guidelines. It is when they start to make improvements is when they have to gradually bring things up to standards, depending upon how extensive the modifications are that they have planned. Jordan said that the guidelines might make it less likely to sell to one particular person but doesn't necessarily mean that it wouldn't be sold to someone else for a different use. Jordan said that what you are trying to do is develop a plan by which the town develops and that is not going to satisfy everyone. Wischmeyer said that anytime you implement rules there are unintended consequences and in her mind this is an opportunity for Planning and Zoning to re-visit the ordinance and determine if it is working the way the City had intended, and if not, whether changes are needed. Nelson asked about what the intentions were of the rules that have been implemented and whether these things apply in all areas.

Council member Marianne Taylor, who is part of the Sustainability Advisory Committee, addressed the Committee. If Planning and Zoning did decide to re-visit the ordinance, she would like to see if more "greener" features could be incorporated into the ordinance. Mayor Moore said each circumstance is a little different and each property should be handled differently. He feels that sidewalks wouldn't be needed in this area because of the railroad tracks and it also leads out to farm land that isn't developed. Jordan stated that it was unknown what would happen in that area in the next 20 years. Nelson stated that the current Comprehensive Plan shows that area being developed, and Hileman said that it would depend on the land owners as to what is developed.

Jordan felt that unless City Council asks Planning and Zoning to re-visit this ordinance with certain suggestions, his suggestion would be that it proceed as it is, unless committee members had serious concerns about the current ordinance. Hileman said it was early in the history of the sale of this property to be jumping to conclusions about its marketability. Hileman also said that the more zoning and building requirements you have, the more you raise the cost of development, but you can't just change the law whenever someone has an issue. He went on to say that perhaps there is a question about the scope of the ordinance and the compliance of existing buildings. Elliott felt that it was important for someone to have a more definite plan in place before any decisions could be made on any changes that are needed. Wischmeyer said she was open to the idea of taking a closer look at the ordinance but she feels that it would be beneficial to have some input from Council that this is in alignment with what they are thinking. It would not make sense for Planning and Zoning to go down one path of making revisions if Council feels the Design Standards meet the intended objective. Nelson said his opinion was that Planning and Zoning should take a look at it themselves and make a recommendation to Council as to whether it should be looked at again or whether this committee believes it should stay as is. Elliott said that Council has the ultimate decision and felt that it should come from them. Jordan said it would be "good process" to have input from Council because there is no sense in Planning and Zoning working on it and not having Council agree. He also said if Planning and Zoning does look at it again, he would like to look at more carefully defining the districts that it applies to.

Council member Taylor said if Planning and Zoning decided to ask Council to offer some guidance, it would be helpful to state what the overriding concerns are so they can have a more focused conversation and not be focused on issues with one particular property. Hileman said that one issue he sees is whether the site development requirements are triggered at all on an existing property already in use. Sauter said that it might be a good idea to take a closer look at the building uses within the districts.

Jordan will come up with a list of discussion items for the next Planning and Zoning meeting and further action will be taken at that time.

4. Discussion regarding rental regulations for City of Mount Vernon. Jordan asked committee members what they wanted to do about proposing rental regulations for the City of Mount Vernon. Wischmeyer said her perspective was that it go through the same process as the Design Standards Ordinance. Having these new standards in place will require additional City resources and she feels it is important to have Council's approval to proceed. The main issue addressed in the sample rental ordinances provided to the committee was that of safety, which is different than what was discussed regarding Cornell students at the previous meeting. Elliott said that there were two different issues, one was of the safety of the homes being rented and the other was behavior issues. Jordan felt that the behavior issues were already addressed in the current nuisance ordinance if someone files a complaint. John Harp from Cornell College attended the last meeting and said that the college would be interested in looking at a rental ordinance if the City moved forward with it. Siders said that he had talked to a few landlords and there is some concern about safety issues but the City does not have anything in place to address that. Wischmeyer felt that it would be beneficial to lay out the reasons to Council why the committee feels this is important. Mayor Moore suggested speaking to Chief Shannon about any input the Police Department might have. This will be discussed again at the next meeting in November.
5. Discussion regarding proposed Comprehensive Plan updates. The draft plan was provided to all committee members. There are a few changes being made to the "land use map" and would be provided at a later date. Jordan would like committee members to read the draft plan and be prepared to discuss issues at the next meeting in November. There will then be a public hearing at the December meeting with possible action by Council in January. Mayor Moore brought up the need to take a look at the West Side Transportation Plan and how it affects future development on the west side. There are some requirements in the plan that he feels will not be necessary due to the bypass coming through. The legal status of this plan will be looked into.
6. Zoning Administrator Report. Siders informed the committee of a conditional use permit that would be coming to them at the November meeting.
7. Old Business.
8. New Business. Due to the Veteran's Day holiday, next month's meeting has been re-scheduled to November 4, 2015 at 6:30 p.m.

Meeting adjourned at 8:24 p.m.

Respectfully submitted,
Marsha Dewell
Deputy Clerk